

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

15 On May 21, 2015, a Petition to Revoke Supervised Release [Doc. 26] was filed as to
16 Defendant Mario Ramon Medina. Defendant's Initial Appearance Hearing was held on said
17 Petition on June 11, 2015, and an Admit/Deny Hearing was held before this Court on August
18 11, 2015. The Defendant and both Counsel were present at said hearing. Counsel stipulated
19 that Defendant's conditions of supervised release shall be modified to include an additional
20 condition that requires Defendant to undergo polygraph testing and if Defendant passes the
21 test the Government will dismiss the pending Petition to Revoke Supervised Release.
22 Counsel further stipulated that the Defendant shall submit to periodic polygraph tests as
23 approved by the probation officer as a means to determine compliance with his conditions
24 of supervision and the requirements of his therapeutic program. No violation proceedings
25 will arise solely on the result of the polygraph tests or a valid Fifth Amendment refusal to
26 answer a question during a polygraph examination.

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CONCLUSION

2 It is the recommendation of this Court that the District Judge, after his independent
3 review and consideration, enter an Order **MODIFYING** Defendant's conditions of
4 supervised release to include an additional condition that requires Defendant to undergo
5 polygraph testing and if Defendant passes the test the Government will dismiss the pending
6 Petition to Revoke Supervised Release and that the Defendant shall submit to periodic
7 polygraph tests as approved by the probation officer as a means to determine compliance
8 with his conditions of supervision and the requirements of his therapeutic program. No
9 violation proceedings will arise solely on the result of the polygraph tests or a valid Fifth
10 Amendment refusal to answer a question during a polygraph examination.

11 Pursuant to 28 U.S.C. §636(b)(1)(B), the parties have fourteen (14) days from the date
12 of this Report and Recommendation to file written objections to these findings and
13 recommendations with the District Court. Any objections and Responses to objections filed
14 should be filed as CR 11-01901-TUC-DCB. No Replies shall be filed unless leave is granted
15 from the District Court.

16 DATED this 11th day of August, 2015.

Bernardo P. Velasco
Bernardo P. Velasco
United States Magistrate Judge